

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

| | | |
|-------------------------|---|---------------------|
| FRANCIS H. CABEZAS, |) | |
| |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 06-0802-CV-W-DW |
| |) | |
| |) | |
| 7-ELEVEN, INC., et al., |) | |
| |) | |
| |) | |
| Defendants. |) | |

ORDER

On January 11, 2007, the Court ordered Plaintiff to serve the proper defendant within thirty days. The Court notified Plaintiff that failure of timely service would result in dismissal of this case. The docket indicates that Plaintiff has not executed service upon any defendant and has not otherwise communicated with the Court. Accordingly, the Court hereby dismisses this case *without prejudice* for failure of timely service and failure to prosecute or otherwise follow the orders of the Court.

Date: April 12, 2007

/s/ DEAN WHIPPLE

Dean Whipple
United States District Court